FORMA[1]

SIVE

DESCRIPTIO

Convocationis Celebrandæ,

Prout ab Antiquo[2] *obſervari conſuevit.*

SCiendum eſt quod Omnes qui Autoritate[3] *Reverendiſſimi Domini Archiepiſcopi* Cantuar' *citantur ad comparendum coram Eo in Domo Capitulari Eccleſiæ Cathedralis Divi* Pauli London' *duodecimo die* Januar' *prox' tenentur præfixo tempore intereſſe, atque in eâdem Eccleſiâ Cath' præſtolari Adventum dicti Reverendiſſimi. Qui ex More paulo*

1. This *Formulary* of holding a Convocation as by ancient Cuſtom it *uſed* to be Held, is unhappily Call'd by Dr. *Atterbury* in the Firſt Edition of his *Rights, Powers*, &c. *p.* 376. *A Directory of Archbiſhop* CRANMER's: When it was certainly drawn up by Archbiſhop *Parker* (as ſoon after confeſt by Dr. *A.*) from all the Precedents before and at the *Reformation*: for a *Rule* to Himſelf in Opening his firſt Convocation, *Jan.* 12. 1562. and for a ſtanding *Pattern* to his Succeſſors.

2. Dr. *Atterbury* has advanc'd a Pernicious as well as a Miſtaken Scheme, that the *Act of Submiſſion* entirely altred the Method and the very Nature of our *Engliſh* Convocations; before Summon'd by the Archbiſhop, Govern'd, Prorogu'd and Diſſolv'd by Him: but ſince entirely *Subject* to the King; and the Archbiſhop *now* made a *Miniſterial Officer*, and a *pure Inſtrument* of the Crown. If our Reformation had been built on this fatal *Eraſtian* Principle; The *Form* of holding Convocations muſt have needs altred with the *Conſtitution* of 'em. But as really there was no other change in the Nature of our Synods, but only as the Archbiſhops were reſtrain'd from Calling 'em without the King's Licenſe and Letters: So this little Change did not at all affect the manner of their Sitting and Acting under the Government and Preſidency of the Metropolitan. And therefore this Solemn *Form* do's no where drop an old Cuſtom, or advance a new Practiſe, or adapt any thing to the Act of Submiſſion; but refers All to antecedent Uſage and long Preſcription—*Prout ab Antiquo—conſuevit.*—*Ex More*—*Ex laudabili & antiqua Ordinatione.*—*Solet obſervari*, &c.

3. It was a late Artifice of Dr. *A.* to exempt the lower Clergy from the Juriſdiction of Archbiſhop and Biſhops in Convocation, by pretending, *firſt*, they were cited by the King in his *Parliamentary Writs*; and at *laſt*, by aſ-

paulo post octavam ante Meridiem illius diei solet cum celebri Comitatu apud Portum Thamisis vocatum Paul's Wharf *in terram descendere, atque exinde Præeuntibus Advocatis & Procuratoribus Curiæ* Cantuar' *certisque Reverendissimi Generosis ac Virgifero Convocationis, ad Ecclesiam Cath' Divi Pauli London recta tendere, atque in chorum ibidem ingredi. Ubi postquam in stallo Decani collocatus fuerit, ac preces dixerit, tam Ipse quam Reliqui Episcopi Præsentes habitu Convocationis togati ex utroque Chori latere in suis Stallis sese constituunt & mox incipiunt Preces* [4]*, quibus Spiritus Sancti gratia invocatur, ac Communio subsequitur. Ac tempore Offertorii tam dictus Reverendissimus quam cæteri Suffraganei Episcopi rem divinam celebranti ordine progredientes Oblationem offerre ex more debent. Peractâ in hunc morem Re Divina, solet doctus Aliquis ex Cætu Convocationis sive Superioris sive Inferioris Domus ad hoc selectus è Suggestu in medio Chori Concionem* [5] *ad Clerum ibidem congregatum Latine proferre : Quâ absolutâ, Reverendissimus statim se confert in Domum Capitularem dictæ Ecclesiæ; sequentibus Episcopis & toto Clero. Quibus ingressis ac secluſis Extraneis, Reverendissimo ac cæteris suis Co-Episcopis in suis sedibus ordine considentibus, ac reliquo Clero* [6] *circumstante, Reverendus Dominus Episcopus* London

ferting, That the *Provincial Writ* was a like immediate Summons by the King, which the Archbishop barely executes as a *proper Officer*; his share in convening his Clergy, being no longer *Authoritative*, but purely *Ministerial*. Which yet does not only strike at the very *Being* of a Church, but directly contradicts this *Form*; where All the Clergy are expresly said to be *Cited by the Authority* of the Most Reverend the Archbishop, to Appear before *Him*.

4. The Service and Sacrifice of the Mass, was reform'd into purer *Latin* Prayers, and a right Communion of the Blessed Sacrament. For the use of the Synod, there was drawn up by the Archbishop only, and by him alone prescrib'd, *Forma Precum in utraque Domo Convocationis*, &c. And according to this Prerogative of the Archbishop at the Head of his Province, this Ancient Form has receiv'd some Alterations and Additions, with new occasional Hymns and Collects, at the discretion of our successive Archbishops, without any express Consent, or active concern of the Lower Clergy, who herein submitted to the Judgment and Authority of the Archbishop; who is presum'd indeed not to act in these Matters, without Counsel and Consent of his *Suffragans*.

5. As the Archbishop in the Rubrick of the *Form of Prayers for Convocation*, has directed, That they shall be Read in the Upper House, by the *Junior* Bishop; and in the Lower House, by the *Prolocutor*: So the ordering of the Sermon, and appointing a Preacher, has been alway left to the Archbishop's *Sole* Power; who assigns the Office to any *One* of his Suffragans, or any *Other* of his Inferiour Clergy, as he thinks most Fit and Proper.

6. It much explains the true nature of our Provincial Synods to observe, That the Archbishop is alway represented, *Pro tribunali sedens*; and sometimes *in throno suo collocatus*. The Bishops are describ'd to be *Ordine considentes*, and *Secum* (i. e. *cum Archiepiscopo*) *Assidentes*. But the Prolocutor and Lower Clergy are evermore found in the Upper House, or Presence of the Archbishop and Bishops, to be *Stantes* and *Circumstantes*. Dr. *A.* indeed would make this Decency to be an Innovation: For he describes the old Provincial Synods, to have Presbyters alway *Sitting with* the Bishops,

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don Mandatum[7] *ſibi à dicto Reverendiſſimo ad Convocationem hujuſmodi ſubeundam* [*ſubmonendam*] *aliàs directum una cum debito Certificatorio ſuper executione ejuſdem introducere, ac debita cum Reverentia eidem Reverendiſſimo Patri preſentare & tradere tenetur. Quo quidem Certificatorio perlecto, ſtatim porrigitur eidem Reverendiſſimo Schedula deſcripta, per quam pronuntiat omnes ad eoſdem horam & locum non comparentes*[8] *contumaces, reſervando pœnam eorum contumaciæ in aliquem diem competentem pro Beneplacito ipſius Reverendiſſimi. Præmiſſis ſic expeditis dictus Reverendiſſimus ad Epiſcopos & Clerum tunc Præſentes Anglice ſive Latine cauſam ſui Adventus ac dictæ Convocationis Inchoatæ*[9] *exponit: Quodque ex laudabili*

and the Deacons and People only *ſtanding*. Yet as this was not the Figure of *Provincial*, bnt of *Dioceſan* Synods only, where the Prieſts were, and ſtill are *Co-Aſſeſſors* with their Biſhop: So he does not in any part of his Writings offer one Inſtance, where the *Sitting* of Presbyters in preſence of the Biſhops, was ever Allow'd in any one *Engliſh Provincial* Synod.

Rights, Powers, &c. *p.* 5.

7. It is a ſhameful Aſſertion of the Author of *the Power of the Lower-Houſe*, &c. *p.* 3. *c.* 1. that theſe Certificates or *Returns* to the Archbiſhop are *All made in Virtue of the King's Writ of Summons, which they do or ſhould Recite; not at all in Virtue of the Archbiſhop's Mandate any further than it* Executes *this Writ*. When in truth all the Returns from the Dean of the Province and from the other Suffragans regularly made, either do not recite the *King's Writ*, becauſe they execute only the *Archbiſhop's Mandate*: Or when they do recite the *King's Writ*, it is only as they find it included in the *Mandate*, and ſo recite it as a *Part* of that Mandate. But it is not at all in Virtue of the King's Writ, that the Dean Cites the Suffragans, or thoſe Suffragans cite their Clergy, no ſuch *Civil* Call; but a pure *Eccleſiaſtical* Summons, and a *Canonical* Execution of the Archbiſhop's Mandatory Letters. Therefore at the Opening of a Convocation, the Archbiſhop does of late Order the King's Writ to be ſolemnly read, to juſtifie his Calling and Holding of it by Virtue of the King's Licenſe and Command directed to him. Yet the Biſhop of *London* does not here at all refer himſelf to the Royal Writ, but Purely to the Archiepiſcopal *Mandate*, which alone he here introduces, and of which alone he certifies the Execution; with no manner of *Return* to the King, nor of immediate *Reſpect* to any Royal Writ. *Mandatum ſibi a dicto Reverendiſſimo — introducere tenetur — cum debito Certificatorio ſuper Executione ejuſdem*, i. e. *Mandati*.

8. To diſturb our Convocations, and deſtroy the very Being of 'em, Dr. *A.* has advanc'd a Notion, that the Members are accountable for their Abſence to the Houſe, and not to the Preſident. When yet by the King's Writ, the Biſhops and Clergy muſt meet *before the Archbiſhop*, and muſt therefore anſwer for their *Non Appearance* to him before whom they ought to Appear. Such *Non Appearance* at firſt, or afterward *withdrawing* without His Graces leave, was reputed a Contumacy or obſtinate Contempt of his Graces Authority; for which a Canonical Puniſhment or Cenſure was due; of which kind of Cenſure, and the time of inflicting it the Archbiſhop was the proper Judge, and therefore reſerv'd it to himſelf, and all the Circumſtances of it to his own Pleaſure.

9. Another fancy of Independence has been rais'd, that at the Opening of every Parliament, the Lower Clergy ought *to be put into a capacity of doing Buſineſs*, and may then chuſe their own Buſineſs, and agree upon Debates, and even come to Reſolutions, without any preceding Advice or Directions from the Preſident and Biſhops. But this Liberty was never till *now* Aſſum'd. The Lower Clergy never thought themſelves ſuch abſolute Judges in Synodical Affairs, as to make the

bili & antiqua Ordinatione eadem Convocatio in duo [10] *Membra dividitur, nempe in Superiorem atque Inferiorem domum. Unde Reverendissimus & cæteri Co-Episcopi Superiorem Domum efficiunt ; Inferior vero Domus ex Decanis Ecclesiarum Cath' Archidiaconis Collegiorum Magistris & Capitulorum Cath' Ecclesiarum necnon Cleri cujuscunque Dioceseos Procuratoribus constat.*

Et quoniam si in rerum tractandarum serie Unusquisque ex inferiore Domo suam ipse sententiam quoties visum esset diceret, aut si omnes aut plures simul loquerentur, pareret confusionem. Igitur semper hactenus observatum fuit, ut Unus aliquis doctus & disertus ex gremio dictæ inferioris Domus in eorum omnium locum ad hoc munus assumatur [11] *; ut Is intellectis*

the *first* Steps in them. They waited the Motion of the Archbishop and Bishops, and and were content to follow the Hints and Instructions given by their Superiours : This did establish a Custom for the Archbishop to open the Synod in a Speech, that should set forth the Causes of his Coming there to meet his Brethren and the Rest of the Clergy ; and the Reason of thus forming themselves into a Synodical Assembly : *Causam sui Adventus ac dictæ Convocationis inchoatæ exponit.*

10. Another daring Notion has been rais'd, that the Lower House is a distinct Body from the Upper, Separate upon Essential Rights of it's *own Body*, with all the Powers and Privileges of a House, in the Parliamentary sense of the word *House*. But yet *here* the same *Body* the Convocation is divided into two *Members*, the Upper and Lower House, which *Members* have the same common *Head* of the whole Body the Archbishop. Tho' the Author of *the Power of the Lower House* has most injuriously degraded the Archbishop into a *Chair-Man or* Moderator *of the Whole Assembly, when the two Houses are together* ; or when the Upper House is *by it self*, then the Archbishop must not be *President* (tho it be his title in the very *Act of Uniformity*) but a *chief Member* at most, or the *proper Person to Intimate or Notifie* the Act of the Bishops, p. 15. c. 2. p. 18. c. 1. while the Prolocutor is made by much the greater Man, *Nothing singular in the Notion of representing the Prolocutor as Head President or Governour of the Lower House.* p. 9. c. 2.

11. Agreeable to this wild Notion of Houses *Co-ordinate*, and a Prolocutor *Supreme :* It has been suggested, that the Lower Clergy by inherent right haue always had a Prolocutor as an Original *President* over them. But certainly there was a time when A. B. Bishops and Clergy made but one House ; when the Lower Clergy had no right to withdraw from the Bishops, but by Order or Leave of the President. So withdrawing and debating of a matter referr'd to them ; they were but a Select Company or Committe of the Archbishops Appointment, and some One was taken as a Chairman to manage their separate Debates, and report their Sense to the Archbishop and his Brethren. When the Lower Clergy were by Degrees form'd into a more settled State of separation from their Lordships, the Archbishop allowed them a distinct Apartment, which soon came to be their *Locus solitus*, and a fixt Prolocutor to be chose at the Beginning, and continue to the End of every Convocation or Synod. But this Ministerial Officer in the Lower House did by no means exempt the Clergy from their Canonical Subjection to the Archbishop, who had hereby a larger exercise of Jurisdiction. For he now prevented Confusion in the Lower House by his prescribing this Method of Peace and Order : He asserted his own Authority, by not suffering them to chuse without his Leave and Admonition : He took care that the Elect should be presented to him for his Consent and Approbation : And when Actually in the Office he must be subservient to

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lectis & ſcrutatis cæterorum Omnium votis, tanquam unum Eorum omnium Os & Organum loquatur, & conſonam eorum ſententiam eidem Reverendiſſimo, cum ad hoc rogatus ſeu miſſus fuerit, cæteris ſilentibus fideliter [12] *referat' : Qui ex hoc munere Referendarius ſive Prolocutor communiter denominatur. Cujus eligendi libera facultas ſemper penes dictam Inferiorem Domum remanet.*

Unde ipſe Reverendiſſimus ſolet eoſdem ex inferiori Domo monere & hortari, ut ſtatim ſe conferant in dictam Inferiorem Domum [13]*, ibique de viro docto pio & fideli in Prolocutorem ſuum aſſumendo conſultantes, unanimiter conſentiant & eligant, ſicque electum ipſi Reverendiſſimo in eadem Domo Capitulari prox' inſequente Seſſione debita ſolennitate præſentent* [14]*. His dictis deſcendunt Omnes in Inferiorem Domum ad effectum prædictum.*

Forma

he Archbiſhop and the whole Synod, by elating the conſent of his Fellow Members o the moſt Reverend, whenever he ſhould e *required* if both Houſes were together, r whenever he ſhould be *ſent for* if the Lower Houſe were in a ſeparate Place.

12. The Office of Prolocutor and very Name f *Referendary* is from his being the common *Mouth* and *Organ* of the Lower Clergy, to onvey and *relate* their joint Requeſts and teſolutions to the moſt Reverend; and carry back his Graces Anſwers and further Orders, s the only Meſſenger of Correſpondence beween the two Houſes. This part of the onſtitution they would have lately broke hrough, and would have ſent choſen Members without the Prolocutor to relate the inſe of the Clergy to the Archbiſhop and he Biſhops. A Violence that for ought appears, was never Attempted but in one lodern Convocation, and even then it was ublickly declared to be againſt the judgent of the Preſident and Biſhops, and ainſt the Authority of their Records.

13. 'Tis obſervable, that tho' the Body of e Synod ſoon divides into two Members, an pper and Lower Houſe: Yet the Place here the Archbiſhop and Biſhops aſſemble, always the *Place of the Synod*; which whole ynod of the Prelates and Clergy of the Proince is Prorogued *in hunc locum, i. e.* to the oom where the Archbiſhop is then ſitting o *Tribunali*, and his Suffragans as Co-Aſſors with him. And as at the opening of the Synod, the Lower Clergy attended the Preſident in the very ſame Place with the Biſhops; So at the beginning of every Seſſion, they are preſum'd to pay the ſame Attendance *coram Archiepiſcopo*, in the ſame Place to which they as well as the Biſhops were *Continued* and *Prorogued*, though to ſave unneceſſary trouble the Preſident does commonly accept the Attendance of the Prolocutor and two or three Principal Members as equivalent to the whole Houſe; and may often excuſe even *their* Abſence, if it be not in Contempt or affected Separation. 'Tis further obſervable, that while the Lower Clergy are ſo attending the Archbiſhop and Biſhops, they are never found to be at their own will, but at the Preſidents Monition: He diſmiſſes them from the Common Place of Aſſembling, with Leave to retire to their own Apartment.

14. The Regiſters of the Upper Houſe do prove, that when the Lower Clergy had in their Place of withdrawing elected a Prolocutor, they then came back to the Archbiſhop and Biſhops, and related the Names of the Perſons they had choſe for the *Prolocutor* and the *Preſenter* of him, and had his Grace's Approbation before his Proroguing in their Preſence to a day, in which the ſaid Prolocutor ſhould be formally preſented. But of late, the Parliament Opening the ſame day with the Convocation has called away their Lordſhips to *Weſtminſter*, before a Report could be made of *ſuch Election*.

FORMA

Eligendi & Præsentandi

PROLOCUTOREM.

Solet observari, ut postquam ingressi fuerint Inferiorem Domum, in sedibus se decenter collocent [1], *& si Aliqui ex Iis sint Consiliarii sive Sacellani Regiæ Majestatis, ut hi superiores sedes occupent; atque ut Unus ex Iis propter Dignitatem & Reverentiam, seu in eorum absentia, Decanus* [2] *Ecclesiæ Cath' D. Pauli London' sive Archidiaconus London' Præsidentis* [3] *officio in hujusmodi Electione fungatur. Atque ut ad hoc rite procedatur, primum jubebit nomina omnium*

1. Taking *Seats*, and *Sitting* is the first Privilege of the Lower Clergy in their separate Room from the Bishops. For the *Presbyters* of *England* as not at first admitted into the Provincial Council of the Metropolitan and his Suffragans; so when upon Secular Accounts They were by degrees admitted to be a Part of that *Council*, they still rather waited as *Assistants*, and never join'd as Co-Assessors. So as when their Advice or Consent was ask'd in a Matter, that requir'd longer consideration than could be taken on the Spot, *then* it was an Ease and Relief to them to withdraw to some distinct Adjacent Place, where they might with greater Rest and Freedom debate and determine of the Subject referr'd to them.

2. The Dean of St. *Paul's*, if the King's Chaplain, has a Right to Preside within his own Church over his Brethren the Clergy Assembled by the Archbishop's Leave, in order to chuse a Prolocutor.

3. The name of *President* was at large applied to any Person who *Presided* or *Moderated* or took the *Chair* in any Ecclesiastic or Scholastic Meeting. And therefore it is an Affected Error in the Author of *the Power of the L. H. to Adjourn*, &c. to say, that whenever the *Word is employ'd in Convocations, it constantly signifies One that Presides* in the stead of, *and by an authority* derived from *some other*. p. 18. c. 1. It is hard to make this definition of a *President* agree with this title here given to the Dean of St. *Paul's*. And 'tis more Absurd in that Author to affirm, That the *title* of *President as apply'd to the Archbishop, is wholly New— and implies a diminution of his Authority*. For the Archbishop at the Head of his Province could have no greater title than that of his ordinary stile *Reverendissimus*, appropriated to the Archbishop, and not capable of being assum'd by any other Person. Yet He was well known to *Preside* over the whole Synod, and is frequently said *Præesse* and *Præsidere*

nium citatorum & qui tunc intereſſe tenentur à Clerico dictæ Inferioris Domus recitari & præconizari [4]. *Notatiſq; Abſentibus, alloquatur præſentes atque eorum ſententiam de idoneo Procuratore eligendo ſciſcitetur. Et poſtquam de eo convenerint (quod ſemper quaſi ſtatim* [5] *& abſque ullo negotio perfici ſolebat) mox conveniunt inter ſe de Duobus eminentioris Ordinis, qui dictum Electum Reverendiſſimo Domino* Cantuar' *in Die ſtatuto debita cum Reverentia & Solennitate præſentent.*

Quorum Alter ſicut, cum dies advenerit, ipſum Prolocutorem cum Latina & docta Oratione præſentare tenetur, ſic etiam idem Præſentatus habitu Doctoratûs indutus conſimilem Orationem ad dictum Reverendiſſimum Patrem ac Prælatos & cæteros Præſentes habere debet. Quibus finitis, præfatus Reverendiſſimus Oratione Latina tam Electores quam Præſentatorem & Preſentatum pro ſua gratia collaudare, ac demum ipſam Electionem ſua Archie-

ſidere, from whence He might well have the Name as He had the Office of *Præſes* and *Præſidens*. But becauſe the Archbiſhop had power to aſſign this Office to a Deputy or Repreſentative commiſſion'd by Him, therefore any One of his Suffragans ſo delegated, had the Name along with the Dignity of *Preſiding*, and is often ſaid *loco Reverendiſſimi præſidere*. And again, becauſe in the vacancy of the See of *Canterbury*, the Dean and Chapter commit the Care of *Preſiding* to the Dean of the Province, the Biſhop of *London*; therefore his Lordſhip is then properly the *Preſident* of Convocation. Not that He *preſides in ſtead of* the Dean and Chapter, for they have no ſuch Power of *Preſiding*. But obſerve, when the title of *Preſident* is ſo aſcrib'd to his Grace's *Delegate*, or *Sede vacante* to the Biſhop of *London*, it is ſtill a borrowed title, and deriv'd from the Archbiſhop's original Power of *Preſiding*, and imputed to *Them* only, as they *pro hac vice* fill the Place of the ſtanding *Preſident* of the Convocation of a Province, the Metropolitan.

4. This Preconization or calling over the Names of the Clergy *now* by order of the inferiour *Preſident*, before they are a Houſe; or afterwards by order of the *Prolocutor*, when they do become a proper Houſe; is not by any inherent Power in *either* Perſon or Aſſembly: but 'tis done by the Authority and for the Service of the Archbiſhop; to Whom the Names of the Abſents ſhould be given; He Alone having the power to judge of the reaſonable Cauſe of their *Abſenting*, and Canonically to puniſh Such as He finds to be contumacious *Abſenters*.

5. The choice of a Prolocutor uſed to be thus diſpatch'd with Eaſe and Expedition, becauſe the Clergy had *this* only to conſider, what Perſon among 'em would anſwer the Character recommended by the Archbiſhop, *De viro Docto Pio & Fideli*: Agreeing alway on ſuch a One as ſtood right in the Opinion of their Superiours; and ſo was the more Able to keep up the fair Correſpondence and happy Union between the Archbiſhop and Biſhops and Clergy. Upon the firſt Eſtabliſhment of a Prolocutor, they continually choſe the Archbiſhop's Official or other Miniſter, in Reſpect to their Metropolitan, and in hopes of having their Affairs negotiated with more Succeſs. In latertimes when his Grace's Official was not a ſtanding Member, they generally choſe the D. of S. *Paul*'s, or whoever elſe was Preſident at the Time of Electing. The firſt Diviſions that are known to have hapned about the choice of a Prolocutor, were in 1689. when the Majority were for a Perſon to ſerve a particular Deſign of *Not Acting*, and indeed of *Not Sitting*, which they confeſs to have been *rather their Deſire*.

6. The

Archiepiſcopali Authoritate [6] *expreſſe confirmare & approbare non dedignabitur. Et ſtatim idem Reverendiſſimus Anglice (ſi placeat) exponere ſolet ulterius bene placitum ſuum*[7]; *Hortando Clerum, ut de rebus communibus quæ Reformatione indigent, conſultent & referant die* [8] *ſtatuto. Ac ad hunc modum*

6. The Archbiſhop had reſerv'd to himſelf, the expreſs Authority of Approving and Confirming the Choice of a Prolocutor. And if he never once rejected the Perſon preſented to him, it proves, that the Clergy of this Province were alway ſo Wiſe and Happy, as to Agree in One very Acceptable to the Archbiſhop and Biſhops.

7. Theſe *Gravamina* and *Reformanda* to be conſulted of by the Lower Clergy, and reported to the Archbiſhop, were ſuch chiefly as concern'd their Civil Rights. Such *Grievances* relating to their Properties and Perſons, which they had been uſed to complain of, to the King, and to Petition him for Redreſs when he requir'd their Subſidies and Taxes. And like the Temporal Commons, they often inſiſted upon ſuch Redreſs of Grievances, as a Condition of granting their Aid and Benevolence. This by degrees taught the Clergy in Convocation a like Method of repreſenting to the Archbiſhop and Biſhops, any ſort of Eccleſiaſtical Oppreſſions they lay under from Inferiour Courts and Officers. But then, whatever theſe Grievances were, they were never once caſt into *Reſolutions*, or *Poſitions* of Cenſure and Remonſtrance; but were alway delivered in Articles of Requeſt and Petition or Addreſs, in a decent humble manner. The drawing up of Grievances in a Declaratory Stile, with a ſort of Judicial Condemnation of 'em, was a new and peculiar Liberty of the laſt Convocation, when they alſo limited their Complaints, and made 'em againſt the Biſhops only, and their Eccleſiaſtical Government: Never once thinking how to repreſent the Hardſhip of Poor Vicars in bearing an unequal Burden of Taxes; nor the want of a proportion'd Number of Clergy-Commiſſioners to preſerve their Brethren from being overcharg'd in Aſſeſſments. Nor to recommend any other Relief or Favour, which upon ſuitable Application to his Grace and their Lordſhips, might poſſibly have been obtain'd from the Legiſlative Power.

8. This Paſſage was applied by Dr. *K.* to prove the *Continuance and Intermiſſion of Sittings in the Lower Houſe, as depending intermediately on the Metropolitan, and finally on the Prince.* Occaſ. Letter p. 54. but the Author of P. L. H. applies it to a Meaning directly oppoſite, and makes it an expreſs Argument, that the *Conſultations of the Lower Houſe* were *to be held on Intermediate days as they ſaw beſt; But the* Report *of 'em was to be made above, on the day appointed for the common Sitting of Both Houſes.* p. 12. c. 2. So the *Narrative* in the *Appendix* p. xiii. would have theſe Words capable of being *fairly Underſtood of the free Liberty of ſo Uſing the Intervals of Seſſions, i. e.* of holding intermediate Seſſions, *ſo as die Statuto (the next Seſſion) muſt be joined with* Referant, *and the Conſultent be left at large.* But there is *Force* as well as *Art* in detorting theſe Words to apply 'em to the New Pretences of Intermediate Seſſions. The Author of P. L. H. is firſt driven upon dividing *conſultent & referant* that he may make the *die Statuto* refer to the latter only; and therefore he puts a ſtop after *Conſultent*, which is not in the Manuſcript, nor in the two Copies Printed (before the thoughts of ſuch a turn) by Dr. *Atterbury* himſelf in the two ſeveral Editions of his *Rights, Powers*, &c. Nay, it is not in the Citation at large that is made for the like purpoſe in the *Appendix* to the *Narrative*. But in all the Books and Papers I have yet ſeen (excepting that P. L. H.) the words are joyn'd as the Conjunction requires, *Conſultent & referant die ſtatuto.* So as their *Conſulting* and *Relating* may well belong to the *ſame Appointed Day*, which in the ſenſe of thoſe Writers, is the next Seſſion to which the Archbiſhop Continues and Prorogues 'em. Without breaking the words by that feigned ſtop, 'tis ſo hard to divide the application of 'em, that the Writer of the *Appendix* to the *Narrative* is free to own, we may ſo fairly preſume, *if not by common ſenſe, yet by what we have ſeen*; i. e. by far fetch'd Alluſions

modum de Seſſione in Seſſionem continuabitur [9] *Convocatio quamdiu expedire videbitur, ac donec de eadem diſſolvenda* [10] *Breve Regium eidem Reverendiſſimo præſentetur.*

Et

Alluſions to the Parliament. Certainly if this *Form* had meant to provide for any ſuch ſeparate Practiſe, it would have ſaid, *De rebus communibus quæ Reformatione indigent* ſuo tempore *conſultent*; *ac denuo Referant die ſtatuto.* And yet after all, granting the Conſultation muſt have intervening Days, before the final Day of Report: Might not the Archbiſhop direct 'em, or allow 'em to let a Part or Committee of 'em meet, and adviſe in the mean while, that they might be ready for a Report againſt the regular Day of Seſſion. This is a Method frequent in the Regiſters, where the Archbiſhop commits Buſineſs to a Select Company, in order to adjuſt and offer it in ſome appointed Seſſion. But in all our Records we meet not with one ſingle Inſtance, before 1701, where the Lower Houſe after the Prorogation by the Archbiſhop, formally Adjourn themſelves to an Intermediate day; and call that Meeting a Seſſion, and there conſult Buſineſs of their own chuſing, independently from the Biſhops. In truth, there never was any proper Synodical Buſineſs of common concern to the Church or Religion, that was ever treated of in a Committee of the Lower Houſe *Alone.* But all ſuch Buſineſs was conſtantly referr'd to a joint Committee of Biſhops and Clergy, and by them *together* form'd into a Report to be made to the Archbiſhop and his Suffragans.

9. *Ad hunc modum* muſt relate to the words immediately foregoing *Die ſtatuto*, which the Author of P. L. H. allows to be *the Day appointed for the common Sitting of Both Houſes.* And the *Appendix* to the *Narrative*, juſtly calls it, *The next Seſſion.* Thus, or after this manner, by the Archbiſhop's Appointment from *one* Seſſion of both Houſes to *another*, the whole Convocation ſhall be continued, as ſhall ſeem expedient to the Archbiſhop upon Counſel of his Brethren, and till the King himſelf ſhall interpoſe by Writ for the Prorogation or the Diſſolution of it.

10. Not a Writ that actually diſſolves, but a Writ for *diſſolving* preſented to the Archbiſhop, who in obedience makes the *Diſſolution.* The Author of the P. L. H. having aſcrib'd the Power of Aſſembling *only* and *purely* to the King's Writ, does then artfully infer, That *the powers of Proroguing and Diſſolving are in Law and Reaſon the natural and neceſſary Reſult of the former*, p. 3. c. 1. But the Suppoſition indeed is abſolutely falſe. For our Reformed Princes did no more aſſemble the Clergy *only* and *purely* by their own Writ, than their *Popiſh* Predeceſſors did, when *they* alſo ſent the ſame Writ of Precept to the Archbiſhop, who thereupon did Convene the Clergy *then*, by the ſame Mandate as *now.* In truth as before the Reformation, the Archbiſhops Prorogued and Diſſolved by their own power (as Dr. *A.* confeſſes) even when they aſſembled a Convocation at the King's Command: So the Act of Submiſſion did not at all alter the Conſtitution of our Provincial Aſſemblies; only as it reſtrained the Archbiſhop from convening, without having Licenſe and Authority for ſo doing by the King's Writ; which Writ was to be now *Alway*, as it had *Frequently* before been, Preceding to his own Mandate. But neither Prorogation nor Diſſolution were directly or immediately affected by the Statute. Archbiſhop *Cranmer* did all along actually *Prorogue*, and if he had ſeen a Neceſſity, he might *yet* have legally diſmiſt his Provincial Aſſembly. But indeed King *Hen.* 8. to keep a Convocation of Popiſhly affected Clergy more in Awe of a Reforming Parliament, began (even before the Act of Submiſſion, and therefore not by Vertue of it) to ſend his Precepts to the Archbiſhop, to Prorogue and Diſſolve the Convocation at the ſame Times with the Parliament; becauſe he could beſt truſt them under ſuch an Awe and Reſtraint. King *Edw.* VI. and Queen *Elizabeth* were put upon the ſame prudential Methods: While the Majority of Convocation were ſuſpected as Averſe to the Meaſures taken in Parliament. This Reaſon Alone began and confirmed the Cuſtom of Royal Writs to command the Proro-

Et ſciendum eſt quod quotieſcunq; Prolocutor ad præſentiam Reverendiſſimi cauſa Convocationis ac tempore Seſſionis [11] *acceſſerit, utatur habitu prædicto, ac Janitor ſive virgifer dictæ inferioris Domus ipſum reverenter antecedat.*

Ejuſdem Prolocutoris eſt etiam monere omnes ne diſcedant à Civitate London' *abſq; licentia* [12] *Reverendiſſimi. Quodque ſtatutis diebus* [13] *tempeſtive veniant ad Convocationem. Quodque ſalaria Clericorum* [14] *tam Superioris quam Inferioris Domus, & Janitoris inferioris Domus juxta antiquam taxationem, quatenus eorum quemlibet concernit, fideliter perſolvant.*

guing and Diſſolving a Convocation concurrent with every Parliament. Yet the Cuſtom did not bar the legal Prerogative in 1640. Nor is there Any Law but a like Cuſtom, that can now reſtrain the Crown from Iſſuing or not Iſſuing the like Writs at Pleaſure. But obſerve, whenever theſe Writs are Iſſu'd, the Writ it ſelf does not of it ſelf *Prorogue* or *Diſſolve* (as the firſt Writ did not of it ſelf *Convene*) but only declares an Expedience and a Reſolution upon it; and then commands the Archbiſhop to exert his Authority, who in purſuance of ſuch Precept, do's by Himſelf or his Commiſſary Prorogue or Diſſolve the Convocation by a Schedule of their own *diſtinct* from the Writ; as it was before aſſembled by a *diſtinct* Mandate in obedience to the King's Writ.

11. By this it appears, that the Prolocutor is never ſuppos'd to be at the Head of the Lower Clergy in any intermediate Seſſion, but only *tempore Seſſionis*, i.e. when both Houſes hold a concurrent Seſſion, and are ready for a mutual Intercourſe.

12. It is here declar'd to be an expreſs Duty of the Prolocutor to Admoniſh All the Members not to go out of Town without Leave of the Archbiſhop. And in the Minutes of former Convocations, there is frequent Entry of ſuch Solemn Admonition. So as when Occaſions requir'd any Member to retire into the Country, a proper Application for Leave was made to the Preſident, and to Him only. Till in this laſt Convocation, among other ways of attempting to come up to the Appearance of a Houſe of Commons; They fell upon this of asking *Leave of the Houſe* for this or that Member to go into the Country; and this too ſometimes in an Intermediate Seſſion. As in their Minutes of *May* 14. *Memorand. Mr. Archdeacon* Hutton *deſired Leave to go into the Country to hold his Viſitation.* And ſeveral Others of the Majority Side went ſo away without Leave or Knowledge of his Grace, in contempt and open breach of our Synodical Conſtitution. But upon ſecond thoughts, their own *Narrative* condemns the Practice, and the Men that were guilty of it; by *denying not that his Grace has a Power of demanding the Attendance of our Members*: and *if the Lower Houſe do give a Leave of Abſence, yet the Member is not perfectly at Liberty without Leave from the Archbiſhop.* Narrat. *p.* 49.

13. *Statutis diebus* do's alway ſignify the common Days appointed by the Preſident for holding a concurrent Seſſion of Both Houſes. And no notice being ever given of *any other* Days, 'tis a ſure Sign the Lower Clergy never pretended to make intermediate Seſſions of their own Appointment. The Prolocutor *admoniſhing* 'em to *come early* on theſe proper Convocation Days, was to have 'em in Readineſs to attend at the opening of the Seſſion, when the Preſident often took occaſion to inſtruct 'em and adviſe 'em in the Buſineſs of the Day.

14. The obligation of the Lower Clergy to pay the Salary of the Clerk of the *Upper* as well as of the *Lower* Houſe, is a clear Argument that they are not exempted from that

that Upper-Houſe: But that indeed the whole *Body* of the Convocation under the *Head* of the Province requires every *Member* to contribute to the common Occaſions of being mutually ſerv'd and aſſiſted. And therefore by the Conſtitution of our Provincial Synods there is but *one* Regiſter of Convocation, and *one* Regiſtry of Acts and Minutes: *i. e.* the Regiſter of the Archbiſhop, and the Regiſtry of his Metropolitan See. His Grace's Principal Regiſter has commonly his Delegate or Deputed Officer, and he or his Deputy by virtue of ſuch Office is the ſtanding Regiſter of the whole Convocation. He being able to attend in *Perſon* only on the Upper Houſe, deputes his *Proxy* or Aſſiſtant to attend upon the Lower Houſe; as an Actuary or Scribe to form their Minutes, and prepare their written Correſpondence with the Archbiſhop and Biſhops: Which Actuary or Under-Clerk was never choſe or rejected by the Houſe or the Prolocutor, but was aſſign'd and diſmiſs'd by the Superiour Clerk or Regiſter of Convocation. But in the late Aſſembly they were breaking theſe fix'd Rules of Property and Conſtitution, and pretended that the Clerk of the Upper Houſe is but a *Fellow Actuary* with the Clerk of the Lower, who is *choſe* and *imploy'd by the Prolocutor*, concontrary to all Right and Fact. *Narrat.* p. 33. 36.

All true Sons of the Church of *England* will be content with a Convocation to be Held, *Prout ab Antiquo obſervari conſuevit.* And 'tis for that Reaſon, I have here publiſh'd the Entire *Form* of Holding a *Reformed Convocation* or *Proteſtant Provincial Synod*, drawn up by an excellent Antiquary Archbiſhop *Parker*, under the Government of Queen *Elizabeth*, which a ſtrict Regard to the Conſtitution of the Church and State, for a ſtanding Rule to Poſterity, as long as God ſhould bleſs this Nation with the Purity of Religion *then* Eſtabliſh'd.

And the Reading over this *Form Alone*, will abundantly diſcover and refute thoſe late Writers who have labour'd for *Change* and *Innovation* in theſe Matters. There is ſcarce any one of their *Pretences*, but what is really oppoſite to the Orders and Opinions *here* deliver'd. As you find particularly, 1. Dr. *Atterbury* would have the Conſtitution of *Engliſh Synods* entirely alter'd by the *Act of Submiſſion*; when this *Form* refers All to Ancient Obſervation, and to antecedent Cuſtom; without hinting at any one material Change occaſion'd by the *Reformation.* 2. It is a Pretence of Dr. *A.* that the Parliament Writ is entred in the Front of the Acts of every Synod; and that even by the Provincial Writ the Biſhops and Clergy are ſummon'd directly by the King, not at all by the authority of the Archbiſhop: Whereas *here* is nothing at all of a Parliament Writ; nor indeed of the King's Provincial Writ as a Royal Summons; but the *Archiepiſcopal Mandate* only is mention'd, and All Members are expreſly ſaid to be *cited by Authority of the Archbiſhop.* 3. It is a Notion of the like Author of P. L. H. that the *Certificates* or Returns which the Dean and Suffragans make to the Metropolitan are *in Virtue of the King's Writ*, and not at all in Virtue of the Archbiſhop's Mandate; whereas here the Biſhop of *London* brings in the *Mandate* only, and Certifies nothing but the Execution of *that* ſingle Mandate. 4. He has advanc'd a new Claim to the Lower Houſe to give leave of Abſence to their Members, without Application to the Archbiſhop; when *here* the Members appear before the Archbiſhop only, and the Penalty of their Abſence is reſerv'd to *Him alone*; and the Prolocutor is to admoniſh all the Lower Clergy of this Duty, that they do uot preſume to go out of Town without the Archbiſhop's Leave. 5. Another Practice was begun of the Lower Clergy chuſing their own Buſineſs, and coming to *Reſolutions*, in very important Matters, without any conſult with, or knowledge of the Archbiſhop and Biſhops; Whereas *here* the Archbiſhop is firſt to declare the Cauſe of his coming, and the Reaſons of opening the Convocation; and then the Inferiour Clergy proceed upon Inſtructions, and in mutual Concert with the Upper-Houſe in joint Committees. 6. The Prolocutor has been made Head Governour and Preſident of the Lower-Houſe; but the Archbiſhop not a Preſident of Convocation: When *here* a Prolocutor is elected and confirm'd by Authority of the Archbiſhop, and is to attend his Grace

when

when and *where* he ſhall be Bidden or Commanded: And when by the very Act of Uniformity 14. *Car.* 2. the two Archbiſhops are more than once call'd the *Preſidents of Convocations* within their reſpective Provinces. 6. They took up a ſingularity of intermediate Seſſions: When *here* is no intimation of any Meeting but in *Die Statuto*, which they themſelves acknowledge to be the next Seſſion appointed by the Archbiſhop for the joint Aſſembly of both Houſes. And ſo in many other Particulars, they have advanc'd Notions and Claims either directly Oppoſite, or at leaſt not at all agreeing, to this GOOD OLD FORM.

State ſuper vias Antiquas.

F I N I S.
